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1 LEONGUERRERO_B.gar8

FILED
DISTRICT COURT OF GUAM
JUN 25 2002

2 FREDERICK A. BLACK
United States Attorney
3 ROBERT W. PEARSON
Special Assistant U.S. Attorney
4 Sirena Plaza, Suite 500
108 Hernan Cortez Avenue
5 Hagåtña, Guam 96910-5059
TEL: (671) 472-7332
6 FAX: (671) 472-7215

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MARY L. MCGOWAN
CLERK OF COURT

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7 Attorney's for United States of America

JUN 25 2002

MARY L. MCGOWAN
CLERK OF COURT
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF GUAM

10 UNITED STATES OF AMERICA,) CIVIL CASE NO. 02-00005

11 Plaintiff,)

12 vs.)

13 BRIAN S. LEON GUERRERO,)

14 Defendant,)

15 _____) MOTION FOR ENTRY OF FINAL
16 NIPPON RENT-A-CAR,) ORDER IN CONTINUING
17 Garnishee.) GARNISHMENT

18 Plaintiff, United States of America, respectfully requests the Court to enter the Final
19 Order in Continuing Garnishment in this matter pursuant to 28 U.S.C. § 3205. In support of this
20 motion, the United States respectfully states to the Court the following:

21 1. An Application for Writ of Continuing Garnishment was filed by the United
22 States of America, and a Writ of Continuing Garnishment directed to Garnishee was duly issued
23 and served upon the Garnishee.

24 2. Pursuant to the Writ of Continuing Garnishment, the Garnishee filed an Answer
25 stating that at the time of the service of the Writ it had in its possession or under its control
26 personal property belonging to and due defendant, in the form of earnings.

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1 3. The defendant was served with a copy of the Writ of Continuing Garnishment and
2 notified of his right to a hearing. The defendant has not requested a hearing to determine exempt
3 property.

4 4. 28 U.S.C. § 3205(c)(7) states:

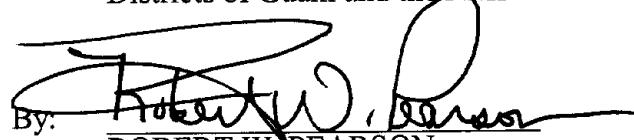
5 After the garnishee files an answer and if no hearing is requested
6 within the required time period, the Court shall promptly enter an
7 order directing the garnishee as to the disposition of the judgment
debtor's non-exempt interest in such property.

8 5. As set forth in the Writ of Continuing Garnishment, the amount of the debt due
9 totals \$1,914.20, as of April 30, 2002.

10 WHEREFORE, all conditions to the issuance of a Final Order in Continuing Garnishment
11 against the non-exempt earnings of the defendant are fully satisfied. The United States
12 respectfully requests that a Final Order in Continuing Garnishment be issued.

13 DATED this 25th day of June, 2002.

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15 FREDERICK A. BLACK
16 United States Attorney
17 Districts of Guam and the NMI

18 By: 
19 ROBERT W. PEARSON
20 Special Assistant U.S. Attorney